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To: "Chester Knowles" <cknow@adelphia.net>  
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## **TOWN OF CUSHING SELECTMEN MEETING**

**March 26, 2007**

### **CUSHING COMMUNITY CENTER**

**Selectmen Present:** Alton Grover, Kim Young, Peter Haviland, Randy Robbins, and Robert Worthing.

**Staff Present:** Town Clerk Lisa Young

Board approved Warrant # 142

The meeting was called to order at 6:01 PM.

Kim Young motioned, Randy Robbins seconded, to approve the March 12, 2007 minutes as written.  
The motion passed.

#### **Board Approved 3-0**

#### **Changes to the Agenda**

Selectman Kim Young reported that the Town is purchasing encryption software from the State for the Rapid Renewal Program and once that is in place, and several tests have been done, that the auto re-registration should be up and running in a couple of weeks.

Robert Ellis presented the Board a letter he had written in response to an e-mail he had received from Ordinance Committee member David Cobey. Ordinance Committee member David Cobey had sent an e-mail to the Board of Selectmen, Planning Board and Ordinance Committee members asking the Board of Selectmen to reconsider the need for a standing Ordinance Committee. He stated that having developers on the committee was a conflict of interest. He stated that no developer on the Committee has recused himself from influencing or voting on any land use regulation. He requested the Board to consider changing the by-laws to preclude members who are developers from participating in the preparation of land use regulation, or to exclude land use regulation from the charge to the committee. Mr. Ellis stated that the Board of Selectmen accomplished their goal of having a diverse group on the committee, and that it was up to Selectmen to keep it diverse. He stated that the committee has worked hard and accomplished many things, and will continue to be valuable in the future. Ordinance Committee members Marilyn Barnum, Laurie Morse, and Daniel Staples spoke in favor of keeping the Ordinance Committee active.

A resident asked the Board what the criteria is for appointing and removing a member from a committee or board. After a brief discussion on the issue the Board decided to discuss it at the next meeting.

Mr. Tower addressed the Board offering the Board an end to the litigation right where it stands. He stated if not there would be more money being spent. He stated that he is offering peace. He stressed that by acting as a community we will all benefit. The decision is up to the Board.

Mr. Tower went on to mentioned the appeal he has going with the State Review Board, and that he is willing to let the \$150,000 worth of abatements for 2005, and the \$60-90,000 for 2006 go. He reported that one piece of property was assessed at \$950,000 but he sold it for \$750,000. Evelyn Kalloch Chairman of the Assessors stated that high property taxes for Mr. Tower were partly the result of the booming real estate market that has now slowed.

Mr. Tower presented the Board pages taken from the Maine Municipal Officers Manual on bias, he stated that the Town could be liable for bias, and a page from the Town of Cushing Shoreland Zoning Ordinance in regard to re-planting when one has removed storm-damaged, deceased, unsafe or dead trees. He stated they have replanted trees.

Selectman Kim Young responded to Mr. Tower by explaining the steps the Town had taken concerning the tree cutting incident. After an intense debate Selectman Kim Young motioned to take no action. She later withdrew her motion. Selectman Peter Haviland pointed out that he is not against Mr. Tower and that he feels that he has done a good job with the development. He went on to state that he was all for peaceful resolutions but due to this already being in court that there really was not anything the Board could do. Selectman Peter Haviland motioned, Randy Robbins seconded, to take Mr. Tower's offer under advisement. The motion passed.

#### **Board Approved 4-1 Kim Young opposed**

Chairman Alton Grover reported that DOT may be able to proceed with the grange hill project on Pleasant Point Road this year due to other town's backing out. He informed the Board that the Town would need to come up with an additional \$40,000, so a special town meeting would have to be scheduled. After a brief discussion it was decided that before a special town meeting or anything could be decided that Alton will need to find out if DOT will be asking for new bids on the project. The Board directed Alton to contact DOT and ask if they will be asking for new bids on the project. Alton will contact DOT and report back at the next meeting.

Chairman Alton Grover inquired if the Board would like to put the replacement of the windows on the east side of the Community Center out to bid. After a brief discussion on what size window would replace the old ones it was decided to table any decision until next meeting.

#### **Unfinished Business**

##### **New Business**

**Appointments-** The Board approved and signed the following appointments: Lisa Young-Town Clerk, Deputy Tax Collector, and Deputy Treasurer, Irene Vinal-Tax Collector, Sandra Blanchard-Deputy Town Clerk, Scott Bickford- CEO, and Plumbing Inspector, A. Hamilton Boothby- Alternate Plumbing Inspector, Arthur Kiskila- Emergency Management Director, Robert Wiggin- Sealer of Weights and Measures, David Brown- Appeals Board Member, Sonja Bates- President Recreation Committee, Amy Robinson- Vice-President Recreation Committee, Kathy Robinson- Treasurer/Secretary Recreation Department, Orman Poland- Harbor Committee, Randy Martin- Harbor Committee, Peter McBean- Harbor Committee, Susan McBean- Health Officer, and Daniel Staples- Harbor Master.

**Selectmen Assignments-** Tabled until next meeting due to run-off election scheduled for April 2, 2007.

**Septic Waste Disposal Facility Agreement-** The Board signed the Septic Waste Disposal Facility Agreement with Interstate Septic, Inc. for \$2,300.00. The agreement will expire on March 31, 2008.

Kim Young motioned, Robert Worthing seconded, to adjourn at 7:45 PM. The motion passed.

**Board Approved 5-0**

Respectfully submitted,  
Lisa Young  
Recording Secretary  
Town Clerk

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